

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 11/27/01

AGENDA ITEM 3

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Approval of Master Agreement and Lease with Hayward Area Recreation and Park District for Lease of Park Sites

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution that approves the "Master Agreement and Lease in Connection with Park Sites" with the Hayward Area Recreation and Park District (HARD).

BACKGROUND:

In 1970, the City and HARD first entered into a Master Lease for the purpose of establishing and maintaining park sites within the City of Hayward. Over the years, the Master Lease has been modified and extended. The current lease expires in 2001, and it is proposed to extend the Master Lease for another ten years to June 30, 2011. Locations covered by the Master Lease are shown on Exhibit A.

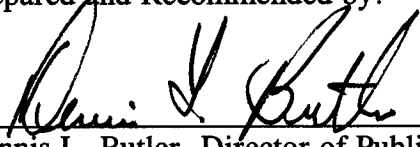
Under the lease, HARD assumes the responsibility to operate and maintain the park sites for public recreation purposes. In addition, HARD pays all utility costs associated with the park sites. Under the current lease, HARD pays a nominal rent of one dollar (\$1.00) per year, in order to enable the District to utilize its limited funding for park development and recreational programs, rather than for the lease payments.

The new lease maintains the nominal rental fee, but has been updated to reflect the latest insurance and liability language. A copy of the Master Lease is available for review in the office of the City Clerk.

CONCLUSION:

Staff believes it is in the best interest of the City to extend the Master Lease for park sites with HARD. The long standing relationship between the City and HARD has worked well and to the benefit of the citizens of Hayward.

Prepared and Recommended by:


Dennis L. Butler, Director of Public Works

Approved by:


Jesús Armas, City Manager

Exhibits: Exhibit A - Location of Park Sites Covered by the Master Lease

**CITY OF HAYWARD PARK SITES
LEASED BY THE HAYWARD AREA RECREATION AND
PARK DISTRICT PURSUANT TO THE PROVISIONS
OF THE CITY/HARD MASTER LEASE AGREEMENT**

1. Haymont Park
2. Bechtel Park (Tot Lot)
3. Fairway Greens Park
4. Southgate School
5. Tennyson School (Park)
6. Eldridge School (Park)
7. Palma Ceia School (Park)
8. Ruus School (Park)
9. Weekes Park
10. Longwood School (Park)
11. Sorensdale Park
12. Memorial Park and Plunge
13. Canyon View Park
14. Nuestro Parquesito
15. Kennedy Park
16. Japanese Gardens
17. Birchfield Park
18. Eden Greenway #8
19. Christian Penke Park
20. College Heights Park
21. Shoreline Park
22. Greenwood Park
23. Greenbelt Equestrian/Hiking Trail
24. Mission Hills of Hayward
25. Stratford Village Park
26. Twin Bridges Park

EXHIBIT A

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT BETWEEN THE CITY
OF HAYWARD AND HAYWARD AREA RECREATION
AND PARK DISTRICT FOR ESTABLISHING AND
MAINTAINING PARK SITES WITHIN THE CITY OF
HAYWARD**

WHEREAS, in 1970 the City Council of the City of Hayward entered into a Master Lease with Hayward Area Recreation and Park District (H.A.R.D.) to establish and maintain parks within the City of Hayward; and

WHEREAS, in addition to maintaining park sites, H.A.R.D. agrees to pay all utility costs associated with the park sites and pay the rent to the City in the amount of one dollar (\$1.00) per year for purposes of relieving the District of the obligation of expending capital improvement funds for substantial rent payment so funds can be devoted entirely to its park development programs; and

WHEREAS, the new lease is proposed to be extended to June 30, 2011 and has been updated to reflect current insurance and liability.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute on behalf of the City of Hayward a Master Lease Agreement with Hayward Area Recreation and Park District for the purpose of establishing and maintaining the park sites within the City of Hayward, on file in the office of the City Clerk, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward